

for Roanoke

MAR 15 2011

JULIA C. DUDLEY, CLERK  
BY: *J.C. Dudley*  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

TONY HAROLD MOORE, ) Civil Action No. 7:11-cv-00119  
Plaintiff, )  
 )  
v. ) ORDER  
 )  
SOUTHWEST VIRGINIA REGIONAL )  
JAIL AUTHORITY, et al., ) By: Hon. Jackson L. Kiser  
Defendants. ) Senior United States District Judge  
 )

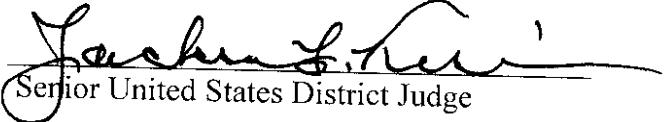
In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that the March 14, 2011, opinion and order are **VACATED**; plaintiff is **GRANTED** leave to proceed in forma pauperis; the complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims at the time of his choice.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 15<sup>th</sup> day of March, 2011.

  
Senior United States District Judge